

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: 6

HON. THOMAS B. LINDBERG

CASE NO. P1300CR20081339

JEANNE HICKS, CLERK

By: Rachel Roehe, Deputy Clerk

DATE: May 4, 2010

FILED

DATE: May 4, 2010

5:22 O'Clock P.M.

JEANNE HICKS, CLERK

BY: Rachel Roehe

5 Deputy

TITLE:

STATE OF ARIZONA

(Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

(D-1)

COUNSEL:

Yavapai County Attorney (e)

(For Plaintiff)

John Sears (e)

Larry Hammond & Anne Chapman (e)

OSBORN MALEDON, P.A.

(For Defendant)

HEARING ON:

Jury Trial / Jury Selection – Day 1

NATURE OF PROCEEDINGS

COURT REPORTER

Roxanne Tarn

START TIME: 8:05 a.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Jeff Paupore, Deputy County Attorney
Steven DeMocker, Defendant
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant
Anne Chapman, Counsel for Defendant

The Court advises the parties regarding the order entered directing the media to not disclose identifying information about members of the Jury.

Defense Counsel states that they preserve their previous objections regarding cameras in the Courtroom.

Court and Counsel discuss an email from a potential juror, [REDACTED]. The Court excuses the Juror and the Court directs the Jury Commissioner to add another juror to that position.

Discussion takes place with regard to proposed comments by the defense team.

The State designates Detective McDormett as their investigator. The Defense designates Mr. Robinson as their investigator.

Discussion takes place with regard to providing the jurors with a jury list. The Court does not provide the jurors with the list.

Defense Counsel requests that all jury questionnaires be marked and admitted as an exhibit in this case. Defense Counsel also requests that correspondence with the jurors who were dismissed be made a part of the record in this case.

~*~*~*~*~ Recess – 9:08 a.m. ~*~*~*~*~

At 9:13 a.m., Court reconvenes with the presence of all parties previously present.

Discussion takes place with regard to Juror numbered [REDACTED] on the seating chart, [REDACTED].

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Discussion takes place with regard to the Defendant dressing out at the jail, rather than at the Courthouse. The Court states that if the Defendant is at the Courthouse sufficiently early to avoid the media and jurors, the Court does not see a problem with the Defendant dressing out at the Courthouse.

Discussion takes place with regard to the Defendant's shaving and haircut needs.

At 9:17 a.m., the following eight jurors are called to the jury box.

[REDACTED] [REDACTED] [REDACTED]

The Court addresses the jurors and reads a statement of the case.

At 9:30 a.m., the eight jurors called to the box are sworn.

Counsel present mini opening statements.

At 9:46 a.m., all jurors exit the Courtroom.

Defense Counsel objects to the mini openings that were just made. Defense Counsel requests that the Court strike the first group of eight jurors due to the statements made during mini openings. The Court **DENIES** the request to strike these first eight jurors.

The Court **DENIES** the request to conduct mini opening statements for the remaining groups of jurors.

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED]. The Court does not excuse that juror at this time.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED].

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

~*~*~*~*~ Recess – 10:18 a.m. ~*~*~*~*~

At 10:26 a.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Defense Counsel requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Counsel for the State requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that he remains subject to recall. The juror exits the Courtroom.

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[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

The Court directs the bailiff to inform the remaining juror that *voir dire* will resume at 1:30 p.m.

~*~*~*~*~ Recess – 12:38 p.m. ~*~*~*~*~

At 1:41 p.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED].

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

Further discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED]. The Court excuses the juror from service tomorrow; however, he is not fully excused from jury service in this case.

At 2:06 p.m., the following eight jurors are called to the jury box.

The Court addresses the jurors and reads a statement of the case.

At 2:19 p.m., the eight jurors called to the box are sworn and exit the Courtroom.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Defense Counsel requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

~*~*~*~*~ Recess – 3:50 p.m. ~*~*~*~*~

At 4:05 p.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

Discussion takes place with regard to a motion to extend time recently filed by the Defense. The Court will give the State until Monday to respond to that motion.

Discussion takes place with regard to juror numbered [REDACTED] on the seating chart, [REDACTED].

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

[REDACTED] is examined on *voir dire*.

During the *voir dire* with regard to [REDACTED], the Court calls [REDACTED], [REDACTED] and [REDACTED] into the Courtroom to discuss scheduling issues.

[REDACTED] is examined on *voir dire*. The juror is admonished and excused for hardship.

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[REDACTED] and [REDACTED] are released for today and directed to return at 1:30 p.m. tomorrow. Those jurors exit the Courtroom.

[REDACTED] continues to be examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Counsel for the State requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

The Court stands at recess until 8:15 a.m. tomorrow.

END TIME: 5:22 p.m.

cc: VS (e)
Jury Commissioner (re: excused jurors)
Dean Trebesch (Contract Administrator) (PD) (e)
Division 6
YCSO (e)
John Napper, Counsel for Renee Girard (e)
Christopher DuPont, Trautman DuPont PLC, 245 W Roosevelt, Ste. A Phoenix, AZ 85003,
Counsel for Victims Charlotte and Katherine DeMocker